

REMARKS

A first Office Action was mailed on May 12, 2004. Claims 1 – 16 are pending in the present application. Applicants amend claims 1, 3 – 5, 7 – 9 and 10 – 16, and add new claim 17. No new matter is introduced.

OBJECTED CLAIMS

Applicants thank the Examiner for indicating that claim 12 is objected to as being dependent on rejected base claim 1, but would be allowable if rewritten in independent form to include all of the limitations of base claim 1. Applicants amend claim 12 accordingly, and respectfully request that the objection be withdrawn.

REJECTIONS UNDER 35 U.S.C. § 112

Claims 3 and 4 are rejected under the second paragraph of 35 U.S.C. § 112 as being indefinite. Specifically, the Examiner finds that the terms “said level adjustment” and “said phase adjustment” lack sufficient antecedent basis. Applicants amend these terms respectively to recite “said step of adjusting the level of an analog signal” and “said step of adjusting the phase of an analog signal”. Applicants respectfully submit that these amendments cause the terms to be provided with sufficient basis, and respectfully request that the rejections be withdrawn.

REJECTIONS UNDER 35 U.S.C. §§ 102, 103

Claims 1 – 4, 8 and 9 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,275,685 to Wessel et al. Claims 6, 10, 14 and 16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Wessel. By implication, claim 13 is also rejected on this basis. Claims 5, 7, 11 and 15 are rejected under 35 U.S.C. § 103(a) as

being unpatentable over Wessel in view of U.S. Patent No. 6,697,436 to Wright et al. Applicants amend claims 1 to correct a minor grammatical error, add new claim 17 that combines the limitations of current claims 1 and 2, amends certain of claims 3 – 11 and 13 – 16 such that claims 3 – 11 and 13 – 16 depend from new claim 17, and respectfully traverse this rejection.

In each of Applicants' independent claims 1 and 17, Applicants' disclose:

1. An activation method of a communications apparatus that has both a feedback loop and a non-linear distortion compensation device with a function to generate/update a distortion compensation coefficient, comprising:

- (a) opening the feedback loop;
- (b) adjusting both a level and a phase of an analog signal of the communications apparatus;
- (c) closing the feedback loop; and
- (d) generating/updating the distortion compensation coefficient.

Wessel discloses a high power linear amplifier for use in mobile communications systems such as CDMA communications systems (see, e.g., abstract of Wessel). As disclosed by Wessel, a gain correction signal and a phase correction signal are generated and used directly to generate a distortion-compensated signal (see, e.g., column 6, lines 47 – 62 of Wessel).

In sharp contrast, Applicants claimed invention is directed to a method for activating a communications apparatus that includes a non-linear distortion compensation device for generating a distortion compensation coefficient. While the gain and phase adjustments taught by Wessel directly compensate a distortion, the gain and phase adjustments taught by Applicants' claimed method instead represent initial adjustments to the phase and gain of a signal in a loop, prior to the generations of a distortion compensation coefficient.

Accordingly, Applicants respectfully submit that independent claims 1 and 17 are neither anticipated nor made obvious by Wessel, and are therefore in condition for allowance. As claims 2 – 11 and 13 – 16 each depend from one of allowable claims 1 and 17, Applicants respectfully submit that claims 2 – 11 and 13 – 16 are also allowable for at least this reason.

CONCLUSION

An earnest effort has been made to be fully responsive to the Examiner's objections. In view of the above amendments and remarks, it is believed that claims 1 - 17, consisting of independent claims 1 and 17, and the claims dependent therefrom, are in condition for allowance. Passage of this case to allowance is earnestly solicited. However, if for any reason the Examiner should consider this application not to be in condition for allowance, he is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged on Deposit Account 50-1290.

Respectfully submitted,



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